

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	2238.05
COMPLAINT INVESTIGATOR:	Brian Simkins
DATE OF COMPLAINT:	March 17, 2005
DATE OF REPORT:	April 13, 2005
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	June 7, 2005

COMPLAINT ISSUES:

Whether the School City of Hammond violated:

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written, specifically by failing to provide physical and occupational therapy.

FINDINGS OF FACT:

1. The Student has been identified as having a communication disorder and is determined eligible for special education and related services.
2. The Student's IEP dated March 16, 2004, indicates that the Student is to receive 60 minutes per month of physical therapy (PT) and occupational therapy (OT). The Student began the 2004-2005 school year at a local private school. The School acknowledges that the Student has not received any PT or OT services during the 2004-2005 school year.
3. During the course of this complaint investigation, the Student's case conference committee (CCC) convened on April 6, 2005. The CCC agreed to the provision of compensatory OT and PT, specifically eight one-hour sessions to begin immediately. The Complainant indicated agreement.

CONCLUSIONS:

Findings of Fact #2 and #3 indicate that the School acknowledges that it failed to implement the Student's IEP as written with regard to the provision of OT and PT. Therefore, a violation of 511 IAC 7-27-7(a) is found. Finding of Fact #3 indicates that corrective action has been taken.

The Department of Education, Division of Exceptional Learners requires no corrective action based on the Findings of Fact and Conclusions listed above.